



Republic of the Philippines
CITY OF OLONGAPO

◆
OFFICE OF THE CITY MAYOR

EXECUTIVE ORDER NO. 44
Series of 2020

**AN EXECUTIVE ORDER TO PREVENT HOARDING AND PANIC
BUYING DURING DECLARED EMERGENCY SITUATIONS AND
SIMILAR OCCASIONS IN THE CITY OF OLONGAPO**

WHEREAS, Section 5, Article II of the 1987 Philippine Constitution, provides that, the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy;

WHEREAS, the Local Government Code of 1991 mandates every local government unit to exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of general welfare, health and safety;

WHEREAS, Section 2 of Republic Act No. 7581 (The Price Act), as amended, provides that it is the policy of the State to ensure the availability of basic necessities and prime commodities at reasonable prices at all times without denying legitimate business a fair return on investment. It is also a declared policy of the State to provide effective and sufficient protection to consumers against hoarding, profiteering and cartels with respect to supply, distribution, marketing and pricing of said goods, especially during periods of calamity, emergency, widespread illegal price manipulation and other similar situations;

WHEREAS, Section 2 of Proclamation No. 922, which was issued by the President of the Philippines declaring a state of public health emergency throughout the Philippines mandated that all government agencies and LGUs are hereby enjoined to render full assistance and cooperation and mobilize the necessary resources to undertake critical, urgent and appropriate response and measures in a timely manner to curtail and eliminate the COVID-19 threat;

WHEREAS, on March 16, 2020, a Memorandum was issued from the office of Executive Secretary Salvador Medialdea providing the guidelines on the imposition of an enhanced community quarantine and the stringent social distancing measures over the entire Luzon;

WHEREAS, the Department of Trade and Industry (DTI) has issued warnings that there is no need to panic-buy and asked grocery and supermarket owners to limit the quantity of items they are selling in light of the panic buying caused by the COVID-19 scare;

WHEREAS, there is an urgent need to protect the public, particularly the residents of Olongapo City from possible abuses of persons and business establishments by unreasonably hoarding supplies of basic and prime commodities, including face masks;

WHEREAS, as part of the City Government efforts to protect the consumers and ensuring orderly and equitable sale by business establishments and to ensure availability of basic necessities and prime commodities at reasonable prices at all times during declared emergency situations and similar occasions.

NOW THEREFORE, I, ROLEN C. PAULINO, JR., City Mayor of Olongapo City, by virtue of the powers vested in me by law, do hereby order that:



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Section 1. BASIC NECESSITIES. Are goods vital to the needs of consumers for their sustenance and existence in times of any of the cases provided under Section 6 or 7 of the Price Act, such as, but not limited to, rice, corn, root crops, bread; fresh, dried or canned fish and other marine products; fresh pork, beef and poultry meat; fresh eggs; potable water in bottles and containers; fresh and processed milk; fresh vegetables and fruits; locally manufactured instant noodles; coffee; sugar; cooking oil; salt; laundry soap and detergents; firewood; charcoal; household liquefied petroleum gas (LPG) and kerosene; candles; drugs classified as essential by the Department of Health and such other goods as may be included under Section 4 of the Price Act; unless otherwise excluded;

Section 2. PANIC BUYING. Is the abnormal phenomenon where consumers buy basic necessities and prime commodities grossly in excess of their normal requirement resulting in undue shortages of such goods to the prejudice of less privileged consumers;

Section 3. HOARDING. Is the undue accumulation by a person or combination of persons of any basic commodity beyond his or their normal inventory levels or the unreasonable limitation or refusal to dispose of, sell or distribute the stocks of any basic necessity of prime commodity to the general public or the unjustified taking out of any basic necessity or prime commodity from the channels of reproduction, trade, commerce and industry. There shall be prima facie evidence of hoarding when a person has stocks of any basic necessity or prime commodity fifty percent (50%) higher than his usual inventory and unreasonably limits, refuses or fails to sell the same to the general public at the time of discovery of the excess;

Section 4. PROFITTEERING. Is the sale or offering for sale of any basic necessity or prime commodity at a price grossly in excess of its true value. There shall be prima facie evidence of profiteering whenever a basic necessity or prime commodity being sold: (a) has no price tag; (b) is misrepresented as to its weight or measurement; (c) is adulterated or diluted; or (d) whenever a person raises the price of any basic necessity or prime commodity he sells or offers for sale to the general public by more than ten percent (10%) of its price in the immediately preceding month: provided, that, in the case of agricultural crops, fresh fish, fresh marine products, and other seasonal products covered by this Act and as determined by the implementing agency, the prima facie provisions shall not apply;

Section 5. POLICY. It is the policy of the City Government of Olongapo:

1. To direct all covered establishments to post in a conspicuous place the following list of the items and limitations regulated by this Ordinance;
2. Subject to relevant laws, rules and regulations, it is encouraged that only persons 15 years old and above shall be allowed to visit the covered establishments; and
3. Subject to reasonable changes as may be duly determined by the implementing offices. There shall be limitations of items to be sold per person per day.

A. For Individual consumers –

KIND OF GOODS	LIMIT FOR INDIVIDUAL CONSUMERS (PER PERSON PER DAY)
Canned Goods	6 cans
Other canned goods (meat loaf, corned beef, tuna, etc.)	3 cans of each kind
Powdered milk	1 Kilogram



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Powdered Milk – sachets	Maximum of 12 sachets
Milk Formula	1 box or can
Coffee Refill	1 pack – 200 grams and above Maximum of 4 packs – below 200 grams
Coffee (3 in 1)	Maximum of 12 sachets
Bread	3 packs
Instant Noodles	12 pouches
Eggs	1 dozen
Cooking Oil	2 liters
Sugar	2 Kilograms
Rice	Maximum of 50 Kilograms
Alcohol	Maximum of 2 Bottles – 500 ml Maximum of 3 Bottles – below 500 ml 1 Bottle – more than 500 ml
Hand Sanitizers	3 Bottles – 100 ml
Toilet paper	6 rolls
Kitchen towels	3 rolls
Bath soaps	6 bars
Liquid hand soap	2 bottles – 500 ml 3 bottles – below 500 ml
Disinfectant solutions (Clorox, Zonrox, Lysol, Domex and the like)	Maximum of 1 gallon
Face masks	10 pcs
Multivitamins / Vitamin C	1 box (100 pcs) 1 bottle

Section 6. **MEASURES.** The following measures are hereby established to carry out the intent and purposes of this order:

1. Institute temporary measures to ensure orderly and equitable distribution or sale to consumers of basic necessities and prime commodities in Olongapo City;
2. Establish temporary measures to avoid hoarding by persons of basic necessities and prime commodities;
3. Create a special task force for the implementation and monitoring of this Order and to issue, if necessary, additional implementing rules and regulations covering additional items and goods that need regulation or deregulation; and
4. To add items to the list of basic necessities and prime commodities enumerated under this section upon recommendation of the task force.

Section 7. **PENALTY.** Any person found violating this Executive Order shall be penalized as follows, without prejudice to administrative sanctions which appropriate regulatory agency may impose or under any other law.

First Offense	Php1,000.00
Second Offense	Php2,000.00
Third Offense	Php5,000.00 and 8 hours of public service in barangay



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Section 8. **IMPLEMENTATION.** The Office of the City Mayor, the Business Permit and Licensing Office (BPLO), the City Health Office (CHO), the Olongapo COVID-19 Task Force and the Public Affairs Office (PAO), are hereby tasked to implement and enforce the provisions of this Executive Order;

Section 7. **REPEALING CLAUSE.** Any or all Executive Orders previously issued inconsistent herewith are hereby repealed or modified accordingly;

Section 8. **EFFECTIVITY.** This Order shall take effect immediately.

Done this 19th day of March 2020 in the City of Olongapo.


ROLAN C. PAULINO, JR.
City Mayor

Attest:


SHEILA R. PADILLA
Secretary to the City Mayor